



General Assembly

February Session, 2004

Raised Bill No. 5449

LCO No. 1464

01464_____GL_

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING WINE ORDERED WITH HOTEL AND CAFE MEALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 30-21 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 (a) A hotel permit shall allow the retail sale of alcoholic liquor to be
4 consumed on the premises of a hotel. The annual fee for a hotel permit
5 shall be as follows: (1) In towns having a population according to the
6 last-preceding United States census of not more than ten thousand, one
7 thousand two hundred dollars, (2) in towns having a population of
8 more than ten thousand but not more than fifty thousand, one
9 thousand six hundred dollars, and (3) in towns having a population of
10 more than fifty thousand, two thousand four hundred dollars.

11 (b) A hotel permit for beer shall allow the retail sale of beer and of
12 cider not exceeding six per cent of alcohol by volume to be consumed
13 on the premises of a hotel. The annual fee for a hotel permit for beer
14 shall be two hundred forty dollars.

15 (c) (1) A patron of a dining room, restaurant or other dining facility
16 in a hotel may remove one unsealed bottle of wine for off-premises
17 consumption provided the patron has purchased a full course meal
18 and consumed a portion of the bottle of wine with such meal on the
19 hotel premises. For purposes of this section, "full course meal" means a
20 diversified selection of food which ordinarily cannot be consumed
21 without the use of tableware and which cannot be conveniently
22 consumed while standing or walking.

23 (2) A partially consumed bottle of wine that is to be removed from
24 the dining facility premises within the hotel pursuant to this
25 subsection shall be securely sealed and placed in a bag by the
26 permittee or permittee's agent or employee prior to removal from such
27 premises.

28 [(c)] (d) "Hotel" means every building or other structure kept, used,
29 maintained, advertised or held out to the public to be a place where
30 food is served at all times when alcoholic liquor is served and where
31 sleeping accommodations are offered for pay to transient guests,
32 where, in towns having a population according to the last-preceding
33 United States census of forty thousand or less, not less than five rooms
34 are used for the sleeping accommodations of transient guests and food
35 is served at least five days a week, and where, in towns having a
36 population according to the last-preceding United States census of
37 over forty thousand, ten or more rooms are used for the sleeping
38 accommodations of transient guests and food is served at least seven
39 days a week and, in any case, having one or more dining rooms where
40 meals are served to transient guests, such sleeping accommodations
41 and dining rooms being conducted in the same building or buildings
42 in connection therewith, and such building or buildings, structure or
43 structures being provided, in the judgment of the department, with
44 adequate and sanitary kitchen and dining room equipment and
45 capacity, and having employed therein such number and kinds of
46 servants and employees as the department may, by regulation,
47 prescribe for preparing, cooking and serving suitable food for its

48 guests. Golf facilities and swimming pools within the confines of the
49 entire property owned by and under the control of the permittee or
50 backer shall also be considered part of the hotel premises.

51 Sec. 2. Section 30-22a of the general statutes, as amended by section
52 146 of public act 03-6 of the June 30 special session, is repealed and the
53 following is substituted in lieu thereof (*Effective October 1, 2004*):

54 (a) A cafe permit shall allow the retail sale of alcoholic liquor to be
55 consumed on the premises of a cafe. Premises operated under a cafe
56 permit shall regularly keep food available for sale to its customers for
57 consumption on the premises. The availability of sandwiches, soups or
58 other foods, whether fresh, processed, precooked or frozen, shall be
59 deemed compliance with this requirement. The licensed premises shall
60 at all times comply with all the regulations of the local department of
61 health. Nothing herein shall be construed to require that any food be
62 sold or purchased with any liquor, nor shall any rule, regulation or
63 standard be promulgated or enforced requiring that the sale of food be
64 substantial or that the receipts of the business other than from the sale
65 of liquor equal any set percentage of total receipts from sales made
66 therein. A cafe permit shall allow, with the prior approval of the
67 Department of Agriculture and Consumer Protection, alcoholic liquor
68 to be served at tables in outside areas that are not screened from public
69 view where permitted by fire, zoning and health regulations. If not
70 required by fire, zoning or health regulations, a fence or wall enclosing
71 such outside areas shall not be required by the Department of
72 Agriculture and Consumer Protection. No fence or wall used to
73 enclose such outside areas shall be less than thirty inches high. The
74 annual fee for a cafe permit shall be one thousand seven hundred fifty
75 dollars.

76 (b) (1) A cafe patron may remove one unsealed bottle of wine for
77 off-premises consumption provided the patron has purchased a full
78 course meal and consumed a portion of the wine with such meal on
79 the cafe premises. For purposes of this section, "full course meal"

80 means a diversified selection of food which ordinarily cannot be
81 consumed without the use of tableware and which cannot be
82 conveniently consumed while standing or walking.

83 (2) A partially consumed bottle of wine that is to be removed from
84 the premises pursuant to this subsection shall be securely sealed and
85 placed in a bag by the permittee or the permittee's agent or employee
86 prior to removal from the premises.

87 ~~[(b)]~~ (c) As used in this section, "cafe" means space in a suitable and
88 permanent building, kept, used, maintained, advertised and held out
89 to the public to be a place where alcoholic liquor and food is served for
90 sale at retail for consumption on the premises but which does not
91 necessarily serve hot meals; it shall have no sleeping accommodations
92 for the public and need not necessarily have a kitchen or dining room
93 but shall have employed therein at all times an adequate number of
94 employees.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>

Statement of Purpose:

To allow a hotel or cafe patron to remove a partially consumed bottle of wine from the premises.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]